

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BUNGIE, INC.,

Plaintiff,

v.

AIMJUNKIES.COM; PHOENIX DIGITAL
GROUP, LLC; DAVID SCHAEFER; JORDAN
GREEN; JEFFREY CONWAY AND JAMES
MAY,

Defendants.

No. 2:21-cv-811

**PLAINTIFF BUNGIE, INC.'S
UNOPPOSED MOTION TO SEAL**

NOTE ON MOTION CALENDAR:
August 11, 2023

Plaintiff Bungie, Inc. (“Bungie”), pursuant to LCR 5(g) and the Stipulated Protective Order entered by the Court in this matter (Dkt. No. 60), hereby moves to file under seal Exhibit 41 to the Supplemental Declaration of William C. Rava in Support of Bungie’s Reply in Support of Its Motion for Summary Judgment (“Supplemental Rava Declaration”).

A party may file a document under seal without prior court approval “[i]f the party files a motion or stipulated motion to seal the document . . . at the same time the party files the sealed document.” LCR 5(g)(2)(B). The contemporaneous motion must include a certification that the parties met and conferred about the need to file the document under seal, the ability to minimize the material filed under seal, and the possibility of exploring alternatives to filing under seal. LCR 5(g)(3)(A). Where the parties have entered a stipulated protective order, a party wishing to file confidential documents it obtained from another party in discovery may file a motion to seal but

PLAINTIFF’S MOT. TO FILE UNDER SEAL
(No. 2:21-cv-811) – 1

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1 need not provide a specific statement of the applicable legal standard and the reasons for keeping
2 a document under seal. LCR 5(g)(3)(B).

3 Here, Bungie intends to file under seal an excerpt of the deposition transcript of Scott
4 Kraemer. The transcript was designated in its entirety by Mr. Kraemer as Confidential. Bungie
5 has an obligation to maintain the confidentiality of this transcript under the stipulated protective
6 order in this case.

7 On August 11, 2023, Bungie's counsel notified counsel for Defendants via email of its
8 intent to file Exhibit 41 to the Supplemental Rava Declaration in connection with its Reply,
9 including the specific portions of the deposition testimony to be cited. Defendants stated they
10 "have no position on the matter and will neither support nor oppose [Bungie's] motion." On July
11 18, 2023, Mr. Kraemer's counsel notified the parties that Mr. Kraemer designates his entire
12 deposition as Confidential.

13 A proposed order accompanies this motion.

14
15 Dated: August 11, 2023

By: /s/William C. Rava

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